

RESOLUTION NO. 2014299

RE: APPOINTMENT TO THE DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

Legislators MICCIO, SURMAN, and ROLISON offer the following and move its adoption:

WHEREAS, a vacancy exists on the Dutchess County Resource Recovery Agency due to the resignation of Robert Ledrich, and

WHEREAS, Rachel D. Flanagan, Esq. has indicated a desire to be appointed to such board, and

WHEREAS, the Chairman of the Legislature has appointed Rachel D. Flanagan, Esq. to fill the unexpired term to the Board of the Dutchess County Resource Recovery Agency subject to confirmation by the Dutchess County Legislature, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby confirm the appointment of Rachel D. Flanagan, Esq. effectively immediately.

Appointment

Term Expires

Rachel D. Flanagan, Esq.
1509 Lyndhurst Way
Wappingers Falls, NY 12590

12/31/15

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RACHEL D. FLANAGAN, ESQ.

21 Old Main Street, Suite 200B, Fishkill, NY 12524

RachelDFlanagan@yahoo.com

www.RachelFlanaganLaw.com

(845) 896-0835

Fax: (845) 896-0838

BAR ADMISSION: New York

LEGAL EXPERIENCE

Rachel Flanagan, Attorney at Law, Fishkill, NY

March 2010- Present

Private Practice, General practice focusing on Estate Planning & Elder Law, Probate; also including Family & Matrimonial law, Criminal Defense, vehicle and traffic, real estate, etc., and guest speaker at various financial planning seminars

Special Prosecutor, Town of Beekman Justice Court

18b Assigned Counsel to local criminal courts, family court

Assigned Counsel, Dutchess County Attorneys for Children Panel

Guardian Ad Litem, Surrogate's Court Part 36 List

Martin Law Group, P.C., Wappingers Falls, NY

August 2010-June 2012

Of Counsel attorney to a general practice firm, responsible for drafting documents, covering court appearances and handling cases from inception to conclusion including family & matrimonial law, estate planning, probate, criminal law, real estate, litigation, appellate work (including brief writing and oral argument), etc.

Legal Services of the Hudson Valley, Poughkeepsie, NY

May 2010- August 2010

Volunteer Attorney

Assist with staff attorney's case loads. Research issues relating to housing, elder law and family law. Observe court proceedings.

Lentz, Stepanovich, Bergethon PLC, Virginia Beach, VA

September 2008 – May 2009

Legal Intern

Assisted with the development of a new streamlined system for estate planning documentation preparation.

Researched issues relating to trust administration and trustee fiduciary duties under the Uniform Trust Code.

Drafted estate planning documents. Researched and wrote memos on various legal topics.

Westchester County District Attorney's Office, White Plains, NY

Summer 2007

Legal Intern

Researched various legal topics including environmental law violations and drug related crime. Wrote memos and briefs pertinent to current cases. Typed and filed SCI's. Observed trials, pre-trial hearings, and guilty pleadings.

PROFESSIONAL EXPERIENCE

Regent University School of Law Admissions Office, Virginia Beach, VA

August 2009- November 2009

Alumna Recruiter

Recruited prospective law students at various Graduate/Professional and Law Fairs throughout the East Coast, including LSAC forums. Prepared all travel arrangements and expense reports. Counseled prospective students on admissions procedures and financial aid options.

United States Secret Service, White Plains, NY

Student Assistant, GS-0303-04/01

Summer 2006

Student Intern

January 2006- May 2006

Responded to phone inquiries regarding identity theft, counterfeit money, and possible threats. Maintained and organized top secret files and file system. Arranged money received from banks and distinguished counterfeit from genuine bills. Assisted agents with paperwork.

Federal Postal Inspectors, White Plains, NY

Fall-Winter 2005

Student Intern

Maintained and organized files. Observed criminal court case in which agents were involved. Shadowed agents During investigative detail.

EDUCATION

Regent University School of Law, Virginia Beach, VA

May 2009

Juris Doctor

Honors: Dean's Scholarship

Activities: Alternative Dispute Resolution Associate Board Member, Student Ambassador, Bailiff for Moot Court Competition, Intramural Negotiation Competitor, International Law Society Member, ABA member, Business Transaction Legal Society member

Marist College, Poughkeepsie, NY

May 2006

Bachelor of Science in Criminal Justice

Honors: Dean's list (six times); Criminal Justice Honor Society; Merit Scholarship

G.P.A. 3.468, *cum laude*

PROFESSIONAL MEMBERSHIPS

Hudson Valley Home Matters, Advisory Council

May 2013- Present

Mediation Center of Dutchess County, Board of Directors, Vice President

January 2014- Present

Mediation Center of Dutchess County, Board of Directors, Secretary

September 2012- Dec 2013

Mid-Hudson Women's Bar Association, President

June 2014- Present

Mid-Hudson Women's Bar Association, Vice-President

June 2013-Present

Mid-Hudson Women's Bar Association, Treasurer

2011-2012, 2012-2013

East Fishkill Republican Committee, Member

January 2012-Present

East Fishkill Republican Club, Secretary

January 2011- January 2013

Poughkeepsie Women's Republican Club of Dutchess County, Member

January 2011- Present

Dutchess County Bar Association, Member

January 2010-Present

COMMUNITY

Coalition on Elder Abuse, Committee Member

March 2012- Present

Center for Lifetime Studies, Volunteer Instructor of Estate Planning and Elder Law

Spring semesters 2011, 2012

World Financial Group, Guest lecturer on estate planning

Fall 2010- Spring 2011

Legal Services of the Hudson Valley, Pro Bono Attorney

August 2010- Present

The Neighborhood Law Center, Inc., Guest speaker on local cable television show

Winter 2010

Volunteer Income Tax Assistance, Virginia Beach, VA

January 2009- April 2009

Prepared Federal Income tax returns for local residents.

Hopewell Reformed Church, Sunday school teacher, youth group leader,

Fall 2002-Summer 2007

Guest speaker at evening youth services

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RachelDFlanagan@yahoo.com

www.RachelFlanaganLaw.com

(845) 896-0835

Fax: (845) 896-0838

LEGAL REFERENCES FOR RACHEL D. FLANAGAN

Hon. Christine A. Sproat

Dutchess County Supreme Court

10 Market Street

Poughkeepsie, NY 12601

Tel: 845.431.1700

Hon. Mark C. Dillon

Appellate Division of the Supreme Court

Second Judicial Department

Courthouse Square

140 Grand Street, Suite 503

White Plains, NY 10601

Tel: 914.824.5409

Hon. Denise M. Watson

Dutchess County Family Court Judge

50 Market Street

Poughkeepsie, NY 12601

Tel: 845.431.1850

Hon. Peter M. Forman

Dutchess County Court Judge

10 Market Street

Poughkeepsie, NY 12601

Tel: 845.431.1710

PROFESSIONAL REFERENCES FOR RACHEL D. FLANAGAN

Assistant to the Special Agent in Charge Milton Johnson

United States Secret Service

335 Adams Street

Brooklyn, NY 11201

718.840.1087

McKinney's Consolidated Laws of New York Annotated
Public Authorities Law (Refs & Annos)
Chapter 43-A. Of the Consolidated Laws
Article 8. Miscellaneous Authorities (Refs & Annos)
Title 13-D. Dutchess County Resource Recovery Agency (Refs & Annos)

McKinney's Public Authorities Law § 2047-c

§ 2047-c. Dutchess County Resource Recovery Agency

Currentness

<As added by L.1983, c. 502, § 1. Another § 2047-c was added by another act.>

1. A corporation known as the Dutchess County Resource Recovery Agency is hereby created for the public purposes and charged with the duties and having the powers provided in this title. The agency shall be a body corporate and politic constituting a public benefit corporation. It shall consist of seven members, three of whom shall be appointed by the county executive, without confirmation of the county legislature, three of whom shall be appointed by the chairman of the county legislature subject to confirmation by the county legislature but without executive right to veto, and one of whom shall be jointly appointed by the county executive and the chairman of the county legislature, subject to confirmation by the county legislature. Subsequent appointment of members shall be made for a term of three years ending in each case on December thirty-first of the last year of such term. No person who has served as a member for two consecutive three year terms shall be eligible for reappointment as a member for a third term, except after an interval of at least three years. All members shall continue to hold office until their successors are appointed and qualify. Vacancies shall be filled in the manner provided for original appointment. Vacancies, occurring otherwise than by expiration of term of office, shall be filled for the unexpired terms. Members may be removed from office for the same reasons and in the same manner as may be provided by law for the removal of officers of the county. The members of the agency shall receive no compensation for their services but shall be reimbursed for all their actual and necessary expenses incurred in connection with the carrying out of the purposes of this title. The powers of the agency shall be vested in and be exercised by the governing body at a meeting duly called and held and four members shall constitute a quorum. No action shall be taken except pursuant to the favorable vote of at least four members. The governing body may delegate to one or more of its members, officers, agents or employees such powers and duties as it may deem proper.

2. The officers of the agency shall consist of a chairman, a vice-chairman and a treasurer, who shall be members of the agency, and a secretary, who need not be a member of the agency. Such officers shall be appointed by the governing body and shall serve at the pleasure of the governing body. In addition to the secretary, the governing body may appoint and at pleasure remove such additional officers and employees as it may determine necessary for the performance of the powers and duties of the agency, which positions shall be in the exempt class of civil service and fix and determine their qualifications, duties and compensation, subject to the provisions of the civil service law. The governing body may also from time to time contract for expert professional services. The treasurer shall execute a bond, conditioned upon the faithful performance of the duties of his office, the amount and sufficiency of which shall be approved by the governing body and the premium therefor shall be paid by the agency.

3. Notwithstanding any inconsistent provision of any general, special or local law, ordinance, resolution or charter, no officer, member or employee of the state, any municipality, or any public benefit corporation, shall forfeit his or her office or employment by reason of his or her acceptance of appointment as a member, officer, agent or employee of the agency, nor shall service as such member, officer, agent or employee be deemed incompatible or in conflict with such office, membership

or employment; provided, however, that no public official elected to his or her office pursuant to the laws of the state or any municipality thereof may serve as a member of the governing body of the agency during his or her term of office.

4. (a) The county executive shall file on or before March thirty-first, nineteen hundred eighty-three, in the office of the secretary of state, a certificate signed by the county executive setting forth: (1) the name of the agency; (2) the names of the members appointed by the county executive and their terms of office; and (3) the effective date of this title.¹ The agency shall be perpetual in duration, except that if such certificate is not filed with the secretary of state on or before such date, then the corporate existence of the agency shall thereupon terminate and it shall thereupon be deemed to be and shall be dissolved.

(b) Except as provided in paragraph (a) of this subdivision, the agency and its corporate existence shall continue until terminated by law, provided, however, that no such law shall take effect so long as the agency shall have bonds or other obligations outstanding unless adequate provision has been made for the payment or satisfaction thereof. Upon termination of the existence of the agency, all of the rights and properties of the agency then remaining shall pass to and vest in the county.

5. In addition to any powers granted to it by law, the county legislature from time to time may appropriate by resolution sums of money to defray project costs or any other costs and expenses of the agency. Subject to the rights of bondholders, the county legislature may determine if the moneys so appropriated shall be subject to repayment by the agency to the county and, in such event, the manner and time or times for such repayment.

6. It is hereby determined and declared, that the agency and the carrying out of its powers and duties are in all respects for the benefit of the people of the county and the state for the improvement of their health, welfare and prosperity and that such purposes are public purposes and that the agency is and will be performing an essential governmental function in the exercise of the powers conferred upon it by this title.

Credits

(Formerly § 2046-c, added L.1982, c. 675, § 1, eff. July 22, 1982. Renumbered § 2047-c, L.1983, c. 502, § 1; L.1985, c. 254, § 1. Amended L.1989, c. 709, § 1.)

<As added by L.1983, c. 502, § 1. See, also Title 13-D added by another act.>

Footnotes

¹ July 22, 1982.

McKinney's Public Authorities Law § 2047-c, NY PUB AUTH § 2047-c
Current through L.2014, chapters 1 to 90.